

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA
CEDAR RAPIDS DIVISION

DANIEL JASON,

Petitioner,

vs.

DANIEL CRAIG,

Respondent.

|||
No. C11-0057-LRR

ORDER

The matter before the court is a document that the clerk's office construed as an application for a writ of habeas pursuant to 28 U.S.C. § 2254. The clerk's office filed such application on June 3, 2011.

The petitioner did not submit either the \$5.00 filing fee or an application to proceed in forma pauperis. *See* 28 U.S.C. § 1914(a) (requiring \$5.00 filing fee); 28 U.S.C. § 1915 (explaining proceedings in forma pauperis). Moreover, the petitioner did not comply with Rule 2(d) of the Rules Governing Section 2254 Cases, which requires him to substantially follow the form that is typically utilized by those seeking relief under 28 U.S.C. § 2254. Because he did not complete the standard form, the court is unsure what conviction or sentence the petitioner is attempting to challenge. And, a petitioner is not able to file an action under 28 U.S.C. § 2254 to challenge the amount of credit he received towards his federal sentence. The petitioner should rely on the procedures that are in place within the Federal Bureau of Prisons and, if appropriate, an appropriate federal statute when filing a habeas corpus action.

Because he failed to file an application to proceed in forma pauperis or submit the \$5.00 filing fee and because his application for a writ of habeas corpus is inadequate, the

court concludes that it is appropriate to dismiss without prejudice the instant action. Accordingly, the clerk's office is directed to enter a judgment that reflects such dismissal.

IT IS SO ORDERED.

DATED this 28th day of June, 2011.



LINDA R. READE
CHIEF JUDGE, U.S. DISTRICT COURT
NORTHERN DISTRICT OF IOWA